

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

LORRAINE ADAMS-SUGGS,

Plaintiff,

vs.

JEREMY COPPOTELLI, et al.,

Defendants.

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Case No. 3:15-cv-00669-SMY-RJD

ORDER

Before the Court is the Motion to Dismiss for Lack of Prosecution filed by all Defendants (Doc. 37). Plaintiff did not respond to the motion.

Plaintiff filed this lawsuit on June 16, 2015. Plaintiff's attorney withdrew as counsel on June 27, 2016. Since counsel's withdrawal, Plaintiff has not filed any documents with the Court or responded to discovery requests. On August 30, 2016, Defendants moved to dismiss the case for lack of prosecution (Doc. 37). On October 12, 2016 the Court warned Plaintiff that this case may be dismissed for lack of prosecution if she failed to respond to show cause as to why the case should not be dismissed (Doc. 41). As of the date of this Order, Plaintiff has not responded.

Prior to dismissing a case for lack of prosecution, a court must generally provide an explicit warning to the non-complying party. See *Ball v. City of Chicago*, 2 F.3d 752, 755 (7th Cir. 1993); *Kasalo v. Harris & Harris, Ltd.*, 656 F.3d 557, 562 (7th Cir. 2011) ("we have required courts to warn a plaintiff that she is on thin ice before the case is thrown out"). Additionally, a court must consider less severe sanctions before deciding to dismiss. *Johnson v. Chicago Bd. of Educ.*, 718 F.3d 731, 733 (7th Cir. 2013). "[A] district court that dismisses a

suit immediately after the first problem, without exploring other options or saying why they would not be fruitful, commits a legal error.” *Id.*

In the present case, the Court has been patient with Plaintiff, but she does not appear to be interested in litigating this lawsuit. Because Plaintiff has abandoned her case, other less severe sanctions would have little or no effect. Therefore, Defendants’ motion to dismiss is **GRANTED**. The Clerk of Court is **DIRECTED** to **DISMISS** this case with prejudice for lack of prosecution.

IT IS SO ORDERED.

DATED: November 7, 2016

s/ Staci M. Yandle
STACI M. YANDLE
DISTRICT JUDGE